

Special Powers and Contracts Act 1880

Local Act 1880 No 17
Date of assent 1 September 1880

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An Act to grant certain Special Powers to the Governor to issue Crown Grants, and to enable him to carry out certain Contracts and Promises.

Preamble

WHEREAS it is expedient and necessary to give the Governor power to issue the Crown grants, and to do, execute, and perform the several acts and things set forth in the second column of the Schedule hereto, in fulfilment of the promises and for the several reasons and purposes set forth in the first column of such Schedule:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1 Short Title

The Short Title of this Act is The Special Powers and Contracts Act 1880.

2 Governor may perform the several acts specified in the second column of the Schedule

The Governor may issue such Crown grants, and do, execute, and perform the several acts, deeds, matters, and things which are specified in the second column of the Schedule hereto.

All Crown grants, acts, deeds, matters, and things so issued, done, executed or performed shall be good, valid, and effectual to all intents and purposes whatsoever, subject to the exceptions, restrictions, and qualifications in the said Schedule specified.

3 Legal estate may be antevested

For the purpose of evidencing the title to any land specified in the said second column of the Schedule, the Governor may, in any Crown grant issued under the authority hereof, antevest the legal estate in the grantee to such date as he thinks fit.

4 Provision in case of land inalienable for a longer period than twenty-one years, except with consent of Governor

[Repealed]

Section 4 was repealed, as from 31 March 1910, by section 431 Native Land Act 1909 (1909 No 15).

Schedule

FIRST COLUMN.

SECOND COLUMN.

FIRST COLUMN.

HAWKE'S BAY.

8. To carry out a recommendation of the Waste Lands Committee of the House of Representatives, dated 22nd July, 1880.

WELLINGTON.

9. To give effect to an arrangement made with the Mayor of Wanganui, that the purpose of Reserves E and K (Queen's Park), Town of Wanganui, should be changed from municipal purposes to a recreation-ground. Owing to the provisions of The Public Reserves Act 1878, special legislation is necessary.

SECOND COLUMN.

8. To authorize the Governor to issue Crown grants to members of the Heretaunga Small Farm Association in cases where the required improvements have been effected, but where the rule as to the actual residence of the member of such association (or his family) has not been carried out.

9. To change from municipal purposes to recreation all that parcel of land situate in the Town of Wanganui, Provincial District of Wellington, being portions of Reserves E and K (the Queen's Park), estimated to contain 16 acres 24 perches, more or less. Bounded towards the North-west by Cameron Terrace and the extension of the same, 850 links; towards the North by the site for the Girls' High School, 404 links and 500 links; towards the North-east by Harrison Place and a site for a police station, 394 links, 200 links, 500 links, 200 links, and 106 links; towards the East by the site for the Odd Fellows Hall 165 links and 38 links,

FIRST COLUMN.

10. It being desirable to change the purpose of a portion of Reserve E (Queen's Park), Town of Wanganui, from municipal purposes to a site for a Girls' High School. Owing to the provisions of The Public Reserves Act 1878, special legislation is necessary.

SECOND COLUMN.

and by the site for the Library and Museum 125 links and 200 links; towards the South-east by Ridgway Street 650 links, and by Reserve A 100 links and 250 links; and towards the South-west by Sections Nos 171, 170, 169, 168, 167, 166, and 165, 700 links, by the site for a drill-shed 250 links and 200 links, by the extension of Maria Place 100 links and 150 links, and by a public road 500 links.

10. To vest the following land in the Education Board of the Wanganui District, as a site for a Girls' High School: All that parcel of land, situate in the Town of Wanganui, in the Provincial District of Wellington, being a portion of Reserve E, and containing by admeasurement 2 acres, more or less. Bounded towards the North by Harrison Place, 375 links and 26 links; towards the East by other portion of Reserve E aforesaid and Reserve K, 490 links; towards the South by other portion of Reserve E aforesaid, 400 links; and towards the West by Cameron Terrace, 500 links: be all the aforesaid linkages more or less.

FIRST COLUMN.

11. The lands mentioned in the second column were selected under The Immigrants Land Act 1873 [*Repealed*], and are vested in the Minister for Immigration. Owing to the immigrant for whom the land was selected having failed to comply with the provisions of the Act, the land has become forfeited, and it is now desired to make the area a site for a school and teacher's residence.

12. To give effect to a promise or contract made by the Provincial Government of Wellington, in November, 1875, with Mr George Mathew Snelson, of Palmerston North, whereby they agreed to sell to him, on behalf of the body of Foresters then established at Palmerston, the Court Manawatu, Ancient Order of Foresters, the Town Section No 258 in the Township of Palmerston, and agreed to issue a grant of such land for the benefit of the said Foresters; and to set at rest doubts which have arisen as to the terms of the provisions of section 9 of The Wellington Reserves Act 1876 Amendment Act 1877 (Local).

SECOND COLUMN.

11. To vest the following land in the Education Board of the Wanganui District, as a site for a school and teacher's residence: All that parcel of land in the Township of Palmerston, Provincial District of Wellington, being Sections 5 and 6, of Block 167, in the said township.

12. To issue a Crown grant to George Mathew Snelson, of Palmerston North, auctioneer, of Town Section No 258, on the plan of the Township of Palmerston North, Manawatu, containing one-quarter of an acre: Provided always that, before such Crown grant shall issue, the said George Mathew Snelson shall duly execute a declaration of trust, to be deposited in the Land Registry Office at Wellington, declaring that he, his heirs and assigns and successors, as such trustee, hold such land upon trust for the Court Manawatu, Ancient Order of Foresters, upon such trusts, and with, under, and subject to such powers, provisoes, declarations, and agreements relating to the leasing, selling, occupying, or

FIRST COLUMN.	SECOND COLUMN.
13. For services rendered as a Volunteer Militiaman during 1846-47 at the Hutt, Pahautanui, and Horokiwi Valley, against rebel Maori under Rangiahaeta.	mortgaging of such lands, and to the resignation, appointment, or removal of trustees thereof, and otherwise howsoever, as shall be approved by a majority of the members of the said court present at a meeting called for the purpose of approving such declaration of trust; the certificate of the person purporting to be chairman of which as to such approval having been given shall be conclusive evidence of such meeting having been duly convened and held, and of such approval having been given. 13. To issue a Crown grant to George Robertson, in fee-simple, for an area not exceeding 60 acres of land, to be selected by him from any rural land open for sale in the Land District of Wellington. Grant to be subject to The Crown Grants Act 1866, and Acts amending the same. The Governor may reserve in the grant a right of road not exceeding 100 links wide. The selections to be made within six months of the passing of this Act.

FIRST COLUMN.

14. By a deed of mortgage dated the 5th May, 1873, registered at Wellington, No 16346, Robert Douglas Wallace mortgaged certain lands to John Howard Wallace and Edward Swartz Maunsell to secure certain moneys and interest. This mortgage was, by deed dated the 24th April, 1879, assigned to Manihera te Rangitakaiwaho, who again by deed, dated the 26th November, 1879, assigned it to Her Majesty the Queen. It is necessary to give the Governor power to release or assign this mortgage.

MARLBOROUGH.

16. It being desirable to change the purpose of Sections 3, 5, 7, and 9, Town of Kaikoura (which were vested in the late Superintendent of Marlborough, as a site for Government buildings), to a site for a school, which cannot now be carried into effect, owing to the provisions of The Public Reserves Act 1878.

SECOND COLUMN.

14. To authorize the Governor to execute a release or assignment of a certain deed of mortgage dated the 5th May, 1873, registered at Wellington, No 16346, and made between Robert Douglas Wallace therein described of the one part, and John Howard Wallace and Edward Swartz Maunsell therein described of the other part, and to reconvey or convey by assignment the lands described in the said deed, and either to discharge the said lands from all principal moneys and interest secured by the said deed, or to assign such principal moneys and interest, and the benefit of all powers, covenants, and provisos in the said deed expressed or implied.

16. To vest the following land in the Education Board of the North Canterbury District, as a site for a school: All that parcel of land, being Sections 3, 5, 7, and 9, Town of Kaikoura, Provincial District of Marlborough, containing 1 acre 3 roods and 24 perches. Bounded on the North-west by Killarney Road; on the

FIRST COLUMN.	SECOND COLUMN.
CANTERBURY.	North-east by Beach Road; on the South-east by Section No 11; and on the South-west by Sections 8, 6, 4, and 2.
17. It being desirable to change the purpose of Sections 5 to 10 and 15 to 20 inclusive, Block III, Township of Hinds, included in the Schedule to The Public Reserves Sale Act 1878, to a site for a school, which cannot now be carried into effect.	17. To vest the following land in the Education Board of the North Canterbury District as a site for a school: All that parcel of land in the Township of Hinds, Provincial District of Canterbury, containing 3 acres, more or less, being Sections 5 to 10 inclusive, and 15 to 20 inclusive, Block III, and numbered 2473 (in red) on the official map of the said township, in the Survey Office, Christchurch.
18. It being desirable to change Reserve No 743 from a gravel-pit to a recreation-ground, which cannot now be carried into effect owing to the provisions of The Public Reserves Act 1878.	18. To change from gravel-pit to recreation-ground all that area in the Mairaki Survey District, Provincial District of Canterbury, containing 5 acres 1 rood 8 perches, more or less, being Section No 743 (in red). Bounded Northward by a road-line, 530 links; Eastward by Reserve 743 (in red), 1000 links; Southward by Reserve 2422 (in red), 530 links; and Westward by the same Reserve, 1000 links: and numbered 2423 (in red) on the official

FIRST COLUMN.

19. Mr Andrew David Mason Allan conveyed to the late Superintendent of Canterbury 1 acre, part of Rural Section No 4259 as a school site, which has been found inconvenient for the purpose. He has now promised to give to the Education Board of North Canterbury 1 acre and 25 perches, part of Rural Section 2242, for a like purpose, on the original site being reconveyed to him.

SECOND COLUMN.

map in the Survey Office, Christchurch.

19. To reconvey to Andrew David Mason Allan all that parcel of land containing by admeasurement 1 acre, more or less, being part of the Rural Section No 4259, situate at Little River, commencing at a point on the northern boundary of the said section 1 chain west of the north-eastern corner thereof; thence Westerly following the said northern boundary, 2 chains 50 links; thence South-westerly at an angle of 122°, a distance of 4 chains 20 links; thence South-easterly at a right angle, 3 chains 10 links to the proposed road to Akaroa, and from thence returning along the said road to the commencing point: subject nevertheless to the road 1 chain wide passing through the above-described land for which road allowance has been made in the acreage, which was vested in the late Superintendent of Canterbury for public purposes: On the said Andrew David Mason Allan conveying to the Education Board of the North Canterbury District all that parcel of land containing by admeasurement 1 acre and 25 perches, more

FIRST COLUMN.

SECOND COLUMN.

or less, being part of Rural Section No 2242 on the map of the Chief Surveyor setting out and describing the rural land in the Little River District of the Provincial District of Canterbury, commencing at a point on the south-eastern boundary of the said section, distant 4 chains 16 links north-easterly from the southern-most corner of the said section (measured along the said boundary); thence North-easterly along the said boundary, 3 chains 21 links and $\frac{1}{2}$ of a link, and extending back northerly for a distance on the western boundary of 3 chains 83 links, and on the eastern boundary of 2 chains 70 links by lines bearing respectively $357^{\circ} 40'$ (true) and $2^{\circ} 15'$ (true), being bounded on the North by the centre of the stream running through the said section. The said land to vest in the said Education Board, as a site for a school.

FIRST COLUMN.

20. A site for police station at Lyttelton being required, there being no Government land available for the purpose within the Borough of Lyttelton.

21. Reserve 1080, 310 acres, “for tramway and other purposes,” is not required for those purposes, and it is deemed desirable to offer it for sale.

SECOND COLUMN.

20. To authorize the Mayor, Councillors, and Burgesses of the Borough of Lyttelton to convey to the Crown, as a site for a police station, all that area situate in the Town of Lyttelton, containing by admeasurement 1 rood and 32 perches, more or less. Bounded towards the North-east by part of Reserves Nos 35 and 36 (in red) and St David Street, a distance altogether of 266.4 links; towards the South-east by St David Street, 272 links; towards the South-west by the Christchurch Road and London Street, a distance altogether of 347.6 links; and towards the North-west by part Reserve No 35 (in red): as the same is delineated on the official map in the Provincial District Survey Office, Christchurch.

21. To authorise the sale of Reserve 1080 as village settlement land, or land of special value, in such lots and upon such conditions as may be prescribed by the Governor in Council.

FIRST COLUMN.	SECOND COLUMN.
22. It being deemed desirable that Reserve 1840, 115 acres, made fo planting purposes should be sold as village settlement land.	22. To authorize the sale of Reserve 1840 as village settlement lands, in such lots and upon such conditions as may be prescribed by the Governor in Council.

Clauses 1 to 4, 6, 7, and 15 of the Schedule were repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

Clause 5 of the Schedule was repealed, as from 15 September 1882, by section 5 Special Powers and Contracts Act 1882 (1882 No 29(L)).

Clause 23 was repealed, as from 31 March 1910, by section 431 Native Land Act 1909 (1909 No 15).

The word “Maori” was substituted, as from 27 November 1947, for the word “Native” pursuant to section 2(2) Maori Purposes Act 1947 (1947 No 59).